

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, : Case No. 3:19-cr-00098
Plaintiff, : Civil Case No. 3:25-cv-00227
- vs - : District Judge Thomas M. Rose
: Magistrate Judge Michael R. Merz
KIERAN CHANDRE FURNESS, :
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 230) to whom this case was referred pursuant to 28 U.S.C. § 636(b) and, noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that Defendant's Motion to Vacate under 28 U.S.C. § 2255 (ECF No. 227) is **DISMISSED** with prejudice. Defendant is **DENIED** a certificate of appealability and the Court hereby **CERTIFIES** to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*. Pursuant to Fed. R. Civ. P. 58, the Clerk is directed to enter judgment to this effect. The Clerk is further directed to **TERMINATE** Defendant's civil action, at Case No. 3:25-cv-227, on the Court's docket.

DONE and **ORDERED** in Dayton, Ohio, this Friday, August 1, 2025.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE